

86th Legislative Session – 2011

Committee: Senate State Affairs

Monday, February 07, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Adelstein
P Cutler
P Frerichs
P Garnos
P Gray
P Johnston
P Tieszen
P Olson (Russell), Vice-Chair
P Rhoden, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Larry Rhoden, Chair.

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, FEBRUARY 2, 2011

Moved by: Adelstein
Second by: Olson (Russell)
Action: Prevailed by voice vote.

SB 160: repeal exemptions from sales and use taxes for certain security and commodity brokers.

Presented by: Senator Eldon Nygaard
Proponents: Cathy Brechtelsbaure, self, Sioux Falls (Handout: 1)
Opponents: Senator Bob Gray
Bob Miller, Bank West Pierre
Rip Ryness, SD Campaign for Liberty (Handout 2; 1 of 620 Petitions)
Zach Lautenschlager, Campaign for Liberty

MOTION: DEFER SB 160 TO THE 41ST LEGISLATIVE DAY

Moved by: Gray

Second by: Garnos

Action: Prevailed by roll call vote. (7-1-1-0)

Voting Yes: Cutler, Garnos, Gray, Johnston, Tieszen, Olson (Russell), Rhoden

Voting No: Frerichs

Excused: Adelstein

SB 166: repeal certain sales tax exemptions relating to agricultural machinery parts, repairs, and maintenance.

Presented by: Senator Eldon Nygaard

Opponents: Zach Lautenschlager, Campaign for Liberty
Rip Ryness, SD Campaign for Liberty

Bruce Christensen, Department of Revenue and Regulation was asked by the Chair to give clarification on certain points.

MOTION: AMEND SB 166

166ra

On the printed bill, delete everything after the enacting clause and insert:

" Section 1. That chapter 10-45 be amended by adding thereto a NEW SECTION to read as follows:

There is hereby imposed a tax at the rate of four percent upon the gross receipts of any person from the engaging in the business of renting mini-storage units, self-storage units, or storage space.

Section 2. That chapter 10-46 be amended by adding thereto a NEW SECTION to read as follows:

An excise tax is hereby imposed on the privilege of the use of mini-storage units, self-storage units, or storage space in this state at the rate of four percent of the rental payments for use of the property."

Moved by: Garnos
Second by: Frerichs
Action: Prevailed by voice vote.

MOTION: DO PASS SB 166 AS AMENDED

Moved by: Cutler
Action: Died for lack of a second.

MOTION: DEFER SB 166 TO THE 41ST LEGISLATIVE DAY

Moved by: Johnston
Second by: Gray
Action: Prevailed by roll call vote. (7-1-1-0)

Voting Yes: Frerichs, Garnos, Gray, Johnston, Tieszen, Olson (Russell), Rhoden

Voting No: Cutler

Excused: Adelstein

SB 174: temporarily increase the state sales and use tax to fund the state budget shortfall and to declare an emergency.

Opponents: Cathy Brechtelsbaure, self, Sioux Falls

THE CHAIR DEFERRED SB 174 UNTIL MONDAY, FEBRUARY 14, 2011

SB 79: provide for the application of LEAN techniques to certain state government processes and to provide for prioritization and oversight of the lean government program.

Presented by: Senator Mark Johnston (Handout: 3)
Opponents: Mike Mueller, Bureau of Administration, Pierre

THE CHAIR DEFERRED SB 174 UNTIL WEDNESDAY, FEBRUARY 9, 2011

MOTION: ADJOURN

Moved by: Olson (Russell)
Second by: Gray

Action: Prevailed by voice vote.

Cheri Hauschild
Committee Secretary

Larry Rhoden, Chair